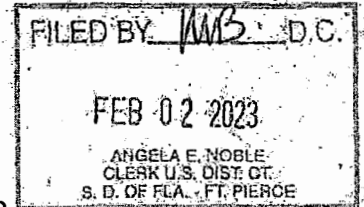


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-CR-14006-CANNON/MAYNARD
8 U.S.C. § 1326(a) and (b)(1)



UNITED STATES OF AMERICA,

v.

JOSE OCTAVIO MARTIN-HERNANDEZ,
a/k/a "Jose Hernandez,"
Defendant.

INDICTMENT

The Grand Jury charges that:


On or about November 29, 2022, in St. Lucie County, in the Southern District of Florida,
the defendant,

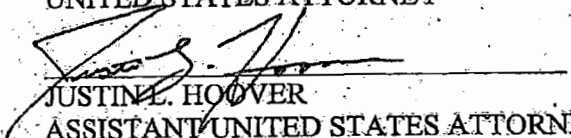
JOSE OCTAVIO MARTIN-HERNANDEZ,
a/k/a "Jose Hernandez,"

an alien, having previously been removed from the United States on or about December 2, 2009,
December 2, 2011, November 22, 2019, and December 22, 2021, was found to be in the United
States, knowingly and unlawfully, without the Attorney General of the United States or his/her
successor, the Secretary of Homeland Security (Title 6, United States Code, Sections 202(3),
202(4) and 557), having expressly consented to such alien's reapplying for admission to the
United States, in violation of Title 8, United States Code, Sections 1326(a) and (b)(1).

A TRUE BILL

FOREPERSON


MARK ENZY LAPOINTE
UNITED STATES ATTORNEY


JUSTIN L. HOOVER
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

CASE NO.: 23-CR-14006-CANNON/MAYNARD

v.

JOSE OCTAVIO MARTIN-HERNANDEZ,
a/k/a "Jose Hernandez,"

CERTIFICATE OF TRIAL ATTORNEY*

Superseding Case Information:

Defendant.

Court Division (select one)

- ☐ Miami ☐ Key West ☒ FTP
☐ FTL ☐ WPB

New Defendant(s) (Yes or No)

Number of New Defendants

Total number of New Counts

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. §3161.
3. Interpreter: (Yes or No) Yes
List language and/or dialect: Spanish
4. This case will take 3 days for the parties to try.
5. Please check appropriate category and type of offense listed below:
(Check only one) (Check only one)
I ☒ 0 to 5 days ☐ Petty
II ☐ 6 to 10 days ☐ Minor
III ☐ 11 to 20 days ☐ Misdemeanor
IV ☐ 21 to 60 days ☒ Felony
V ☐ 61 days and over
6. Has this case been previously filed in this District Court? (Yes or No) No
If yes, Judge Case No.
7. Has a complaint been filed in this matter? (Yes or No) No
If yes, Magistrate Case No.
8. Does this case relate to a previously filed matter in this District Court? (Yes or No) No
If yes, Judge Case No.
9. Defendant(s) in federal custody as of
10. Defendant(s) in state custody as of
11. Rule 20 from the District of
12. Is this a potential death penalty case? (Yes or No) No
13. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard? (Yes or No) No
14. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss? (Yes or No) No

By:


JUSTIN L. HOOVER

Assistant United States Attorney

Court ID No. A5502493

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 23-CR-14006-CANNON/MAYNARD

UNITED STATES OF AMERICA

v.

**JOSE OCTAVIO MARTIN-HERNANDEZ,
a/k/a "Jose Hernandez,"** _____

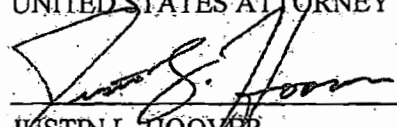
CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shanick Maynard)? No
2. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? No

Respectfully submitted,

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

By: _____


JUSTIN L. HOOVER
Assistant United States Attorney
Court ID No. A5502493
101 South U.S. Highway 1, Suite 3100
Fort Pierce, Florida 34950
Tel: 772-466-0899
Email: Justin.Hoover@usdoj.gov

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

PENALTY SHEET

Defendant's Name: Jose Octavio Martin-Hernandez, a/k/a "Jose Hernandez"

Case No: 23-CR-14006-CANNON/MAYNARD

Count #: 1

Previously Removed Alien Found in the United States, 8 U.S.C. § 1326(a) and (b)(1)

*** Max. Term of Imprisonment:** 10 Years

*** Mandatory Min. Term of Imprisonment (if applicable):** N/A

*** Max. Supervised Release:** Up to 3 Years

*** Max. Fine:** \$250,000 fine / \$100 Special Assessment

***Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.**